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PTO/SB/82 (01-06)

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<b>REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS</b>	<b>Application Number</b>	<b>10/621,170</b>
	<b>Filing Date</b>	<b>July 16, 2003</b>
	<b>First Named Inventor</b>	<b>John Hebrank</b>
	<b>Art Unit</b>	<b>2877</b>
	<b>Examiner Name</b>	<b>Roy M. Punnoose</b>
	<b>Attorney Docket Number</b>	<b>EMBR-5175-150 Renumbered PC19679A</b>

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

23913

☒ I hereby appoint the practitioners associated with the Customer Number:

Please change the Correspondence Address for the above-identified patent application to:

☒ The address associated with  
Customer Number :

23913

OR

☐ Firm or  
Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:

☐ Applicant/Inventor

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

**SIGNATURE of Applicant or Assignee of Record**

Signature

Name **Grover F. Fuller Jr.**  
**Assistant Secretary**

Date **5-30-08**

Telephone **212-573-1390**

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.



\*Total of forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2



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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: John HebrankApplication No./Patent No.: 10/621,170 Filed/Issue Date: July 16, 2003Entitled: SYSTEMS AND METHODS FOR RAPIDLY AND ACCURATELY IDENTIFYING LIVE EGGS WITHIN A STREAM OF EGGSEmbrex, Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 014627, Frame 0547, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

(NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
\_\_\_\_\_  
Signature5-30-08  
\_\_\_\_\_  
DateGrover F. Fuller Jr., Reg. No. 31.760  
\_\_\_\_\_  
Printed or Typed Name(212) 573-1390  
\_\_\_\_\_  
Telephone NumberAssistant Secretary  
\_\_\_\_\_  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

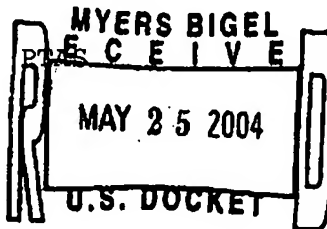


NJB

## UNITED STATES PATENT AND TRADEMARK OFFICE PC19679

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 19, 2004

MYERS BIGEL SIBLEY & SAJOVEC  
NEEDHAM JAMES BODDIE, II  
P.O. BOX 37428  
RALEIGH, NC 27627

\*102586268A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/27/2003

REEL/FRAME: 014627/0547  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

## ASSIGNOR:

HEBRANK, JOHN H.

DOC DATE: 07/29/2003

## ASSIGNOR:

BRYAN, THOMAS

DOC DATE: 07/29/2003

## ASSIGNEE:

EMBEX, INC.  
1040 SWABIA COURT  
DURHAM, NORTH CAROLINA 27703

SERIAL NUMBER: 10621170

FILING DATE: 07/16/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: SYSTEMS AND METHODS FOR RAPIDLY AND ACCURATELY IDENTIFYING LIVE  
EGGS WITHIN A STREAM OF EGGS

DOCKET NUMBER: 5175-150

05-24-04 A09:51 IN

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SHAREILL COLES, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



10-29-2003



102586268

EET Patents Only

To the Honorable Comm

Date: October 23, 2003

Attorney Docket No. 5175-150

Please record the attached original documents or copy thereof.

10-27-03

1. Name of conveying party(ies):

John H. Hebrank  
Thomas Bryan

Additional name(s) of conveying party(ies) attached? Yes ☒ No

2. Name and address of receiving party(ies):

Embrex, Inc.  
1040 Swabia Court  
Durham, North Carolina 27703

OFFICE OF PUBLIC RECORDS  
2003 OCT 27 PM 2:47  
FINANCE SECTION

3. Nature of conveyance:

- ☒ Assignment
- ☐ Merger
- ☐ Security Agreement
- ☐ Change of Name
- ☐ Other

Execution Date: July 29, 2003 and July 29, 2003

Additional name(s) & address(es) attached? Yes ☒ No

4. Application Serial No. 10/621,170 Patent No. \_\_\_\_\_

If this document is being filed together with a new application, the execution date of the application is:

Additional numbers attached? Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Needham James Boddie, II  
Myers Bigel Sibley & Sajovec  
P. O. Box 37428  
Raleigh NC 27627

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$ 40.00  
☒ Enclosed  
☐ Authorized to be charged to deposit account

8. Deposit account number: 50-0220

DO NOT USE THIS SPACE

9. Statement and signature

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Needham James Boddie, II, #40,519

Name of Person Signing

Needham James Boddie, II  
Signature

October 23, 2003

Date

Total number of pages including cover sheet, attachments and document: 3

10/29/2003 6TON11 00000034 10621170

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**ASSIGNMENT**

THIS ASSIGNMENT, made by us, **John H. Hebrank**, a citizen of the United States of America, residing at 216 Jefferson Drive, Durham, North Carolina 27712; and **Thomas Bryan**, a citizen of the United States of America, residing at 511 Franklin Street, Raleigh, North Carolina 27604;

WITNESSETH: That,

WHEREAS, we are joint inventors of certain new and useful improvements in **SYSTEMS AND METHODS FOR RAPIDLY AND ACCURATELY IDENTIFYING LIVE EGGS WITHIN A STREAM OF EGGS** for which an application for United States Letters Patent has been filed on July 16, 2003 as Application No. 10/621,170. (We hereby authorize Myers Bigel Sibley & Sajovec to insert application number when known); and

WHEREAS, **Embrex, Inc.**, a North Carolina corporation, having a principal place of business at 1040 Swabia Court, Post Office Box 13989, County of Durham, City of Research Triangle Park, State of North Carolina, 27709, hereinafter referred to as assignee, is desirous of acquiring the entire right, title and interest in and to said invention as described in said application, and in and to any and all Letters Patent which shall be granted therefor in the United States of America and all foreign countries;

NOW, THEREFORE, To Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we have sold and by these presents do hereby sell, assign, transfer, and convey unto the said assignee, its successors and assigns, the entire right, title, and interest in and to the said invention and application, and in and to any and all continuations, continuations-in-part, or divisions thereof, and in and to any and all Letters Patent of the United States of America and all foreign countries or reissues or other forms of protection thereof which may be granted therefor or thereon, for the full end of the term for which said Letters Patent may be granted along with any term extensions thereon or therefor, together with the right to claim the priority of said application in all foreign countries in accordance with the International Convention, the same to be held and enjoyed by said assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

We hereby request that said Letters Patent be issued in accordance with this assignment.

We further covenant and agree that, at the time of the execution and delivery of these presents, we possess full title to the invention and application above-mentioned, and that we have the unencumbered right and authority to make this assignment.

We further covenant and agree to promptly communicate to said assignee or its representatives any facts known to us relating to said invention, to testify in any interference or legal proceedings involving said invention, to execute any additional papers which may be requested to confirm the right of the assignee, its representatives, successors, or assigns to secure patent or similar protection for the said invention in all countries and to vest in the assignee complete title to the said invention and Letters Patent, without further compensation, but at the expense of said assignee, its successors, assigns, and other legal representatives; and we hereby instruct, and further covenant and agree to bind our heirs, legal representatives, and assigns, to do same, without further compensation, but at the expense of said assignee or its representatives.

John H. Hebrank  
John H. Hebrank

7/29/03  
Date

Thomas Bryan  
Thomas Bryan

7/29/03  
Date